

AMENDED IN SENATE JUNE 1, 2015

AMENDED IN ASSEMBLY APRIL 8, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 732

Introduced by Assembly Member Cooper

February 25, 2015

An act to add Section 21060.4 to the Food and Agricultural Code, relating to livestock.

LEGISLATIVE COUNSEL'S DIGEST

AB 732, as amended, Cooper. Cattle inspection: exemption.

Existing law requires cattle to be inspected before being moved or transported under certain circumstances, including whenever cattle are sold. Existing law requires that inspection fees be paid at the point of inspection and that those fees be deposited into the Department of Food and Agriculture Fund.

This bill would exempt cattle that are being sold or whose ownership is being transferred from these inspection provisions if the individual or entity with a controlling interest in the cattle remains unchanged, if the cattle will not be moved out of state or out of a modified point-of-origin inspection area, and if the cattle are associated with either a registered brand or dairy exemption number. The bill would require, at the time of ownership transfer, all persons who have ownership in the cattle, including both the transferor and the transferee, to self-certify, under penalty of perjury, to the Department of Food and Agriculture as to their ownership in the cattle on a form *and in a time frame* to be prescribed by the department. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21060.4 is added to the Food and
2 Agricultural Code, to read:

3 21060.4. (a) Inspection is not required in cases where cattle
4 are sold or ownership is transferred under all of the following
5 circumstances:

6 (1) The individual or entity with a controlling interest in the
7 cattle remains unchanged.

8 (2) The cattle will not be moved out of state or out of a modified
9 point-of-origin inspection area.

10 (3) The cattle are associated with either a registered brand or
11 dairy exemption number.

12 (b) All persons who have ownership in the cattle, including both
13 the transferor and the transferee, shall, at the time of ownership
14 transfer, self-certify, under penalty of perjury, to the department
15 as to their ownership in the cattle on a form *and in a time frame*
16 prescribed by the department.

17 (c) An owner of cattle that is otherwise exempt from inspection
18 pursuant to this section may elect to have that cattle inspected
19 pursuant to Section 21051.

20 (d) *A violation of this section shall be subject to the penalties*
21 *described in Section 21051.3.*

22 SEC. 2. No reimbursement is required by this act pursuant to
23 Section 6 of Article XIII B of the California Constitution because
24 the only costs that may be incurred by a local agency or school
25 district will be incurred because this act creates a new crime or
26 infraction, eliminates a crime or infraction, or changes the penalty
27 for a crime or infraction, within the meaning of Section 17556 of
28 the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California
2 Constitution.

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